

U.S. ENVIRONMENTAL PROTECTION AGENCY ASSISTANCE AMENDMENT <i>C-153</i> <i>(Optional)</i> <i>(Please read instructions on reverse)</i> <i>AKD 7/6/87</i>		ASSISTANCE I.D. NO. C-421068-01 AMENDMENT NO. 3																				
<p>NOTE: The original Amendment with one copy must be executed and returned to the Grants Administration Division for Headquarters assistance awards and to the Grants Administration Branches for State and local assistance awards within 3 weeks after receipt or within any extension of time as may be granted in writing by EPA. Except as may be otherwise provided, no costs as a result of the Amendment may be incurred prior to the execution of the Assistance Amendment by the parties thereto.</p> <p>Receipt of a written refusal, or failure to receive the properly executed document within the prescribed time will result in the termination of consideration of the Assistance Amendment by EPA.</p>																						
GENERAL INFORMATION																						
APPROPRIATION AND ACCOUNTING DATA																						
APPROPRIATION NUMBER 68X0103.A	ACCOUNT NUMBER Y779034004 - \$29,702	OBJECT CLASS CODE 41.11 DCN: P78042																				
DESCRIPTION OF AMENDMENT: PURSUANT TO EPA ASSISTANCE REGULATION 40 CFR 30.700, THE ABOVE-NUMBERED ASSISTANCE AGREEMENT IS AMENDED AS FOLLOWS: Decrease grant amount by \$29,702 from \$2,212,082 to \$2,182,380 based on EPA's amended final determination letter dated September 26, 1986. The eligible project costs are as follows:																						
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Legal</td> <td style="width: 40%; text-align: right;">\$ 3,988</td> </tr> <tr> <td>Administrative</td> <td style="text-align: right;">487</td> </tr> <tr> <td>A/E Basic Fees</td> <td style="text-align: right;">165,445</td> </tr> <tr> <td>Other A/E Fees</td> <td style="text-align: right;">102,325</td> </tr> <tr> <td>Project Inspection</td> <td style="text-align: right;">177,867</td> </tr> <tr> <td>Construction</td> <td style="text-align: right;">2,459,728</td> </tr> <tr> <td>Equipment</td> <td style="text-align: right;">-0-</td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black; height: 1px;"></td> </tr> <tr> <td>Total Eligible Project Costs</td> <td style="text-align: right;">\$2,909,840</td> </tr> <tr> <td>EPA Share @ 75%</td> <td style="text-align: right;">\$2,182,380</td> </tr> </table>			Legal	\$ 3,988	Administrative	487	A/E Basic Fees	165,445	Other A/E Fees	102,325	Project Inspection	177,867	Construction	2,459,728	Equipment	-0-			Total Eligible Project Costs	\$2,909,840	EPA Share @ 75%	\$2,182,380
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AWARD APPROVAL OFFICE		ISSUING OFFICE																				
ORGANIZATION Water Management Division (3WM00)		ORGANIZATION Grants Management Branch (3PM70)																				
ADDRESS U. S. Environmental Protection Agency 841 Chestnut Building Philadelphia, PA 19107		ADDRESS U. S. Environmental Protection Agency 841 Chestnut Building Philadelphia, PA 19107																				
RECIPIENT ORGANIZATION																						
NAME Tredyffrin Township Municipal Authority		ADDRESS 973 Old Lancaster Road Berwyn, PA 19312																				
Except as provided herein all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect and subject to all applicable provisions of 40 CFR Chapter 1, Subpart B.																						
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY																						
SIGNATURE OF AWARD OFFICIAL	TYPED NAME AND TITLE Alvin R. Morris Director, Water Management Division	DATE JUL 07 1987																				
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION																						
SIGNATURE n/a	TYPED NAME AND TITLE n/a	DATE n/a																				

U.S. ENVIRONMENTAL PROTECTION AGENCY

ASSISTANCE AMENDMENT

(Optional)

(Please read instructions on reverse)

ASSISTANCE I.D. NO.

C-421068-01

AMENDMENT NO.

2

NOTE: The original Amendment with one copy must be executed and returned to the Grants Administration Division for Headquarters assistance awards and to the Grants Administration Branches for State and local assistance awards within 3 weeks after receipt or within any extension of time as may be granted in writing by EPA. Except as may be otherwise provided, no costs as a result of the Amendment may be incurred prior to the execution of the Assistance Amendment by the parties thereto.

Receipt of a written refusal, or failure to receive the properly executed document within the prescribed time will result in the termination of consideration of the Assistance Amendment by EPA.

GENERAL INFORMATION

APPROPRIATION AND ACCOUNTING DATA

APPROPRIATION NUMBER

68X0103.A

ACCOUNT NUMBER

Y779034004

OBJECT CLASS CODE

41.11 -\$137,218

DESCRIPTION OF AMENDMENT: PURSUANT TO EPA ASSISTANCE REGULATION 40 CFR 30.900 "PROJECT CHANGES AND ASSISTANCE MODIFICATIONS" AND 40 CFR 30.900-1 "FORMAL ASSISTANCE AMENDMENTS," THE ABOVE NUMBERED ASSISTANCE AGREEMENT IS AMENDED AS FOLLOWS:

Decrease grant amount by \$137,218, from \$2,349,300 to \$2,212,082, based on the grantee's final claim and the completion of the final inspection.

The eligible project costs are as follows:

Legal Expenses	\$ 4,500.00
Administrative Expenses	1,749.84
Architectural Engineering Basic Fees	244,562.17
Other Architectural Engineering Fees	13,811.30
Project Inspection Fees	233,609.92
Construction Costs	2,440,970.08
Equipment Costs	10,240.00

Total Eligible Project Costs \$2,949,443.31

Federal Share @ 75% \$2,212,082.00

AWARD APPROVAL OFFICE

ORGANIZATION

Water Management Division (3WM00)

ADDRESS

Environmental Protection Agency
Curtis Building, 6th & Walnut Streets
Philadelphia, Pennsylvania 19106

ISSUING OFFICE

ORGANIZATION

Grants Management Section (3PM32)

ADDRESS

Environmental Protection Agency
Curtis Building, 6th & Walnut Streets
Philadelphia, Pennsylvania 19106

RECIPIENT ORGANIZATION

NAME

Tredyffrin Township Municipal Authority

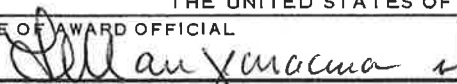
ADDRESS

973 Old Lancaster Road
Berwyn, PA 19312

Except as provided herein all terms and conditions of the basic assistance agreement, including prior amendments, remain unchanged and in full force and effect and subject to all applicable provisions of 40 CFR Chapter 1, Subpart B.

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL



TYPED NAME AND TITLE Greene A. Jones,
Director, Water Management Division

DATE

AUG 31 1984

BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION

SIGNATURE

N/A

TYPED NAME AND TITLE

N/A

DATE

N/A

U.S. ENVIRONMENTAL PROTECTION AGENCY GRANT AGREEMENT AMENDMENT				GRANT IDENTIFICATION NO.			
				C	4	2	1
				0	6	8	0
				1	1	1	1

CHECK APPLICABLE ITEM(S)		DATE OF AWARD (Obligation date) MAR 7 1979	
<input type="checkbox"/> GRANT AGREEMENT		TYPE OF ACTION Increase	
<input checked="" type="checkbox"/> GRANT AMENDMENT			
<input type="checkbox"/> SUBSEQUENT RELATED PROJECT (WWT)			

PART I-GENERAL INFORMATION				
1. GRANT PROGRAM Municipal Wastewater Treatment Works	2. STATUTE REFERENCE 33 USC 1281 et. seq.	3. REGULATION REFERENCE 40 CFR, Parts 30 & 35		
4. GRANTEE ORGANIZATION				
a. NAME Tredyffrin Township Municipal Authority	c. ADDRESS 973 Old Lancaster Road Berwyn, Pennsylvania 19312			
b. EMPLOYER I.D. NO. (EIN)				
5. PROJECT MANAGER (Grantee Contact)				
a. NAME John Woodcock, Jr.	d. ADDRESS Tredyffrin Township Municipal Authority 973 Old Lancaster Road Berwyn, Pennsylvania 19312			
b. TITLE Vice Chairman				
c. TELEPHONE NO. (Include Area Code) 215/644-1400				
6. PROJECT OFFICER (EPA Contact)				
a. NAME Jon Capacasa	d. ADDRESS Environmental Protection Agency Water Division (3WA51) Curtis Building 6th and Walnut Streets Philadelphia, Pennsylvania 19106			
b. TITLE Team Leader, Eastern Pennsylvania Section				
c. TELEPHONE NO. (Include Area Code) 215/597-4065				
7. PROJECT TITLE AND DESCRIPTION No change in scope of project.				
		PROJECT STEP (WWT) III		
8. DURATION				
PROJECT PERIOD (Dates) August, 1977 - October, 1980	BUDGET PERIOD (Dates) N/A			
9. DOLLAR AMOUNTS				
TOTAL PROJECT COSTS	\$4,000,000	EPA GRANT AMOUNT XXXXXXXXXXXXXXXXXXXX \$2,349,300		
TOTAL ELIGIBLE COSTS (WWT)	\$3,132,400	UNEXPENDED PRIOR YR. BAL. (EPA Funds) N/A		
TOTAL BUDGET PERIOD COSTS	N/A	THIS ACTION (This obligation amount) \$654,300		
10. ACCOUNTING DATA				
APPROPRIATION	DOC CONTROL NO.	ACCOUNT NO.	OBJ CLASS	AMOUNT CHARGED
68X0103.A	P78042	Y779034004	11	\$654,300
11. PAYMENT METHOD		12. PAYEE (Name and mailing address. Include ZIP Code)		
<input type="checkbox"/> ADVANCES (____ % of award) <input checked="" type="checkbox"/> REIMBURSEMENT <input type="checkbox"/> OTHER _____		Tredyffrin Township Municipal Authority 973 Old Lancaster Road Berwyn, Pennsylvania 19312		
SEND PAYMENT REQUEST TO Chief, Financial Management Branch				

PART II-APPROVED BUDGET

TABLE A - OB. CLASS CATEGORY
(Non-construction)TOTAL APPROVED ALLOWABLE
BUDGET PERIOD COST

1. PERSONNEL	
2. FRINGE BENEFITS	
3. TRAVEL	
4. EQUIPMENT	N/A
5. SUPPLIES	
6. CONTRACTUAL	
7. CONSTRUCTION	
8. OTHER	
9. TOTAL DIRECT CHARGES	
10. INDIRECT COSTS: RATE % BASE	
11. TOTAL (Share: Grantee _____ % Federal _____ %)	
12. TOTAL APPROVED GRANT AMOUNT	\$

TABLE B - PROGRAM ELEMENT CLASSIFICATION
(Non-construction)

1.	
2.	
3.	
4.	
5.	N/A
6.	
7.	
8.	
9.	
10. TOTAL (Share: Grantee _____ % Federal _____ %)	
11. TOTAL APPROVED GRANT AMOUNT	\$

TABLE C - PROGRAM ELEMENT CLASSIFICATION
(Construction)

1. ADMINISTRATION EXPENSE	\$ 1,000.00
2. PRELIMINARY EXPENSE	
3. LAND STRUCTURES, RIGHT-OF-WAY	
4. ARCHITECTURAL ENGINEERING BASIC FEES	539,919.00
5. OTHER ARCHITECTURAL ENGINEERING FEES	
6. PROJECT INSPECTION FEES	
7. LAND DEVELOPMENT	
8. RELOCATION EXPENSES	
9. RELOCATION PAYMENTS TO INDIVIDUALS AND BUSINESSES	
10. DEMOLITION AND REMOVAL	
11. CONSTRUCTION AND PROJECT IMPROVEMENT	2,461,214.75
12. EQUIPMENT	
13. XXXXXXXXXXXX LEGAL AND FISCAL	8,000.00
14. TOTAL (Lines 1 thru 13)	
15. ESTIMATED INCOME (If applicable)	
16. NET PROJECT AMOUNT (Line 14 minus 15)	
17. LESS: INELIGIBLE EXCLUSIONS	
18. ADD: CONTINGENCIES	122,266.25
19. TOTAL (Share: Grantee 25 % Federal 75 %)	\$ 3,132,400.00
20. TOTAL APPROVED GRANT AMOUNT	\$ 2,349,300.00

PART III - GRANT CONDITIONS

a. General Conditions:

The grantee covenants and agrees that it will expeditiously initiate and timely complete the project work for which assistance has been awarded under this grant, in accordance with all applicable provisions of 40 CFR Chapter I, Subpart B. The grantee warrants, represents, and agrees that it, and its contractors, subcontractors, employees and representatives, will comply with: (1) all applicable provisions of 40 CFR Chapter I, Subchapter B, INCLUDING BUT NOT LIMITED TO the provisions of Appendix A to 40 CFR Part 30, and (2) any special conditions set forth in this grant agreement or any grant amendment pursuant to 40 CFR 30.425.

b. Special Conditions:

- A. Part III, Special Condition Number 12, Schedule of Grant Payments, is hereby deleted in its entirety and the following substituted in lieu thereof:

"12. Revised Schedule of Grant Payments

The grantee may submit requests for payment for allowable costs incurred in accordance with the following revised schedule:

<u>Payment No.</u>	<u>Date</u>	<u>Payment</u>	<u>Cumulative Amount</u> (not to be exceeded)
1	4/79	\$162,000	\$ 162,000
2	7/79	208,500	370,500
3	9/79	526,800	897,300
4	11/79	603,600	1,500,900
5	1/80	605,800	2,106,700
6	3/80	7,670	2,114,370
7	10/80	234,930	2,349,300"

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

b. SPECIAL CONDITIONS (Continued)

PART IV

NOTE: The Grant Agreement must be completed in duplicate and the Original returned to the Grants Administration Division for Headquarters grant awards and to the appropriate Grants Administration Office for state and local awards within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the automatic withdrawal of the grant offer by the Agency. Any change to the Grant Agreement by the grantee subsequent to the document being signed by the EPA Grant Award Official which the Grant Award Official determines to materially alter the Grant Agreement shall void the Grant Agreement.

OFFER AND ACCEPTANCE

The United States of America, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers a ~~grant~~/amendment to the Tredyffrin Township
Municipal Authority
GRANTEE ORGANIZATION for 75 % of all approved costs incurred up to and not exceeding \$ 2,349,300 for the support of approved budget period effort described in application (including all
GRANT AMOUNT
Tredyffrin Township
application modifications) C-421068-01 Municipal Authority
TITLE AND DATE included herein by reference.

ISSUING OFFICE (Grants Administration Office)

ORGANIZATION ADDRESS

Environmental Protection Agency
Eastern Pennsylvania Section (3WA51)
Curtis Building, 6th & Walnut Streets
Philadelphia, Pennsylvania 19106

AWARD APPROVAL OFFICE

ORGANIZATION/ADDRESS

Environmental Protection Agency
Water Division (3WA00)
Curtis Building, 6th & Walnut Streets
Philadelphia, Pennsylvania 19106

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARD OFFICIAL

TYPED NAME AND TITLE

DATE

Greene A. Jones, Director, Water Division

MAR 7 1979

This Grant Agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and grant regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the grantee organization, and (2) the grantee agrees (a) that the grant is subject to the applicable provisions of 40 CFR Chapter I, Subchapter B and of the provisions of this agreement (Parts I thru IV), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any, found by EPA to have been overpaid will be refunded or credited in full to EPA.

BY AND ON BEHALF OF THE DESIGNATED GRANTEE ORGANIZATION

SIGNATURE

TYPED NAME AND TITLE

DATE

John Woodcock, Jr., Vice-Chairman

3-27-79

U.S. ENVIRONMENTAL PROTECTION AGENCY
GRANT AGREEMENT/AMENDMENT

GRANT IDENTIFICATION NO.

C 4 2 1 0 6 8 0 1 0

CHECK APPLICABLE ITEM(S)

☒ GRANT AGREEMENT

☐ GRANT AMENDMENT

☐ SUBSEQUENT RELATED PROJECT (WWT)

DATE OF AWARD (Obligation date)

AUG 04 1977

TYPE OF ACTION

New

PART I-GENERAL INFORMATION

1. GRANT PROGRAM Municipal
Wastewater Treatment Works

2. STATUTE REFERENCE
33 USC 1281 et. seq.

3. REGULATION REFERENCE
40 CFR, Parts 30 & 35

4. GRANTEE ORGANIZATION

a. NAME
Tredyffrin Township Municipal Authority

c. ADDRESS
973 Old Lancaster Road
Berwyn, Pennsylvania 19312

b. EMPLOYER I.D. NO. (EIN)

5. PROJECT MANAGER (Grantee Contact)

a. NAME
John Woodcock, Jr.

d. ADDRESS
Tredyffrin Township Municipal Authority
973 Old Lancaster Road
Berwyn, Pennsylvania 19312

b. TITLE
Chairman

c. TELEPHONE NO. (Include Area Code)
215-644-1400

6. PROJECT OFFICER (EPA Contact)

a. NAME
William M. Bulman

d. ADDRESS
Environmental Protection Agency
Water Division (3WA52)
Curtis Building
6th and Walnut Streets
Philadelphia, Pennsylvania 19106

b. TITLE
Chief, Pennsylvania Section

c. TELEPHONE NO. (Include Area Code)
215-597-8486

7. PROJECT TITLE AND DESCRIPTION

The Step III project consists of the construction of approximately 47,200 l.f. of 8 and 10 inch diameter sanitary sewers and a 0.25 mgd pumping station with approximately 1,820 l.f. of 6 inch diameter force main. The eligible project includes allowable associated costs as defined in 40 CFR 35.940-1 up to the amount shown in Part II of the Grant Agreement.

PROJECT STEP (WWT)

III

8. DURATION

PROJECT PERIOD (Dates)
August, 1977 - September, 1978

BUDGET PERIOD (Dates)
N/A

9. DOLLAR AMOUNTS

TOTAL PROJECT COSTS
\$2,372,500

EPA GRANT AMOUNT ~~XXXXXXXXXXXXXXX~~ \$1,695,000

TOTAL ELIGIBLE COSTS (WWT)
\$2,260,000

UNEXPENDED PRIOR YR. BAL. (EPA Funds)
N/A

TOTAL BUDGET PERIOD COSTS
N/A

THIS ACTION (This obligation amount)
\$1,695,000

10. ACCOUNTING DATA

APPROPRIATION	DOC CONTROL NO.	ACCOUNT NO.	OBJ CLASS	AMOUNT CHARGED
68X0103.7	P6C137	T364034004	41 11	\$1,695,000

11. PAYMENT METHOD

☐ ADVANCES (____% of award) ☒ REIMBURSEMENT

☐ OTHER

SEND PAYMENT REQUEST TO Grants Administration
Branch

12. PAYEE (Name and mailing address. Include ZIP Code)

Tredyffrin Township Municipal Authority
973 Old Lancaster Road
Berwyn, Pennsylvania 19312

PART II-APPROVED BUDGET

TABLE A - OBJECT CLASS CATEGORY
(Non-construction)TOTAL APPROVED ALLOWABLE
BUDGET PERIOD COST

1. PERSONNEL
2. FRINGE BENEFITS
3. TRAVEL
4. EQUIPMENT
5. SUPPLIES
6. CONTRACTUAL
7. CONSTRUCTION
8. OTHER
9. TOTAL DIRECT CHARGES
10. INDIRECT COSTS: RATE % BASE
11. TOTAL (Share: Grantee _____ % Federal _____ %)

N/A

12. TOTAL APPROVED GRANT AMOUNT

\$

TABLE B - PROGRAM ELEMENT CLASSIFICATION
(Non-construction)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
10. TOTAL (Share: Grantee _____ % Federal _____ %)

N/A

11. TOTAL APPROVED GRANT AMOUNT

\$

TABLE C - PROGRAM ELEMENT CLASSIFICATION
(Construction)

1. ADMINISTRATION EXPENSE
2. PRELIMINARY EXPENSE
3. LAND STRUCTURES, RIGHT-OF-WAY
4. ARCHITECTURAL ENGINEERING BASIC FEES
5. OTHER ARCHITECTURAL ENGINEERING FEES
6. PROJECT INSPECTION FEES
7. LAND DEVELOPMENT
8. RELOCATION EXPENSES
9. RELOCATION PAYMENTS TO INDIVIDUALS AND BUSINESSES
10. DEMOLITION AND REMOVAL
11. CONSTRUCTION AND PROJECT IMPROVEMENT
12. EQUIPMENT
13. MISCELLANEOUS
14. TOTAL (Lines 1 thru 13)
15. ESTIMATED INCOME (If applicable)
16. NET PROJECT AMOUNT (Line 14 minus 15)
17. LESS: INELIGIBLE EXCLUSIONS
18. ADD: CONTINGENCIES

\$ 5,000

130,900

125,400

1,817,000

181,700

19. TOTAL (Share: Grantee 25 % Federal 75 %)

\$ 2,260,000

20. TOTAL APPROVED GRANT AMOUNT

\$ 1,695,000

PART III - GRANT CONDITIONS

a. General Conditions:

The grantee covenants and agrees that it will expeditiously initiate and timely complete the project work for which assistance has been awarded under this grant, in accordance with all applicable provisions of 40 CFR Chapter I, Subpart B. The grantee warrants, represents, and agrees that it, and its contractors, subcontractors, employees and representatives, will comply with: (1) all applicable provisions of 40 CFR Chapter I, Subchapter B, INCLUDING BUT NOT LIMITED TO the provisions of Appendix A to 40 CFR Part 30, and (2) any special conditions set forth in this grant agreement or any grant amendment pursuant to 40 CFR 30.425.

b. Special Conditions:

1. Regulations

The grantee's attention is particularly directed to the following provisions contained in 40 CFR, Chapter I, Subchapter B, Part 35, Subpart E:

- (a) The grantee's procurement practices shall be in conformance with 40 CFR 35.935-2 and 35.939.
- (b) In accordance with 40 CFR 35.935-12(c), payment shall not be made for (1) more than 50 percent of the Federal share of the project unless the grantee has furnished a draft operation and maintenance manual for review, or adequate evidence of timely development of such draft, or (2) more than 90 percent of such Federal share unless the grantee has furnished a satisfactory final operation and maintenance manual.
- (c) In accordance with 40 CFR 35.935-13, payment shall not be made for (1) more than 50 percent of the Federal share of the project unless the grantee has submitted adequate evidence of timely development of its system(s) of user charges and industrial cost recovery, or (2) more than 80 percent of such Federal share unless the system(s) have been approved by the Regional Administrator.
- (d) In accordance with 40 CFR 35.935-16, payment shall not be made for more than 80 percent of the Federal share of the project, unless the Regional Administrator has approved the grantee's sewer use ordinance, and the grantee is complying with any sewer system evaluation and rehabilitation schedule as may be incorporated in this Grant Agreement.
- (e) Final payment shall be made in accordance with 40 CFR 35.935-14 and 35.945(e).

2. Discharge Permits

The grantee shall obtain any necessary discharge permits for the treatment works in accordance with Section 402 of the 1972 Amendments to the Federal Water Pollution Control Act.

3. Advertisement for Bids

The grantee shall not advertise or place on the market for bidding any portion of this project until the final plans and specifications have been approved in writing by the appropriate state water pollution control agency and the EPA Project Officer.

(12/16/76)

PART III - GRANT CONDITIONS

b. Special Conditions (Continued):

4. Contract Award

Construction contracts including those for the purchase of equipment and materials shall not be awarded until written approval is obtained from the EPA Project Officer.

5. Sites, Easements and Rights-of-Way

The grantee shall submit an acceptable legal opinion that the necessary sites and easements and/or rights-of-ways have been obtained and that they are free of any restrictions or encumbrances that might restrict their use for the purpose intended. Said opinion shall be submitted to EPA not later than the time by which the grantee requests approval to award construction contracts.

6. Operation and Maintenance of Related Facilities

The grantee shall construct the additions described herein in such a manner as to assure an absolute minimum of interference with proper and efficient operation of related facilities.

7. Flood Insurance

The grantee agrees to acquire and maintain any flood insurance made available to it under the National Flood Insurance Act of 1968, as amended. The insurance shall be in an amount at least equal to the total eligible project costs excluding cost of land and uninsurable improvements, or to the maximum limit of coverage made available under the National Flood Insurance Act of 1968, as amended, whichever is less, for the entire useful life of the project.

This condition shall not be applicable if, on the date of execution of this Grant Agreement by both parties, flood insurance was not available pursuant to the Flood Insurance Act of 1968, as amended, for property in the project location. This condition shall not be applicable if the project location is outside the boundaries of a special flood hazard area delineated on a Flood Hazard Boundary Map or Flood Insurance Rate Map which has been issued by the Department of Housing and Urban Development, Federal Insurance Administration. This condition shall not be applicable if the total value of improvements insurable under the National Flood Insurance Act is less than \$10,000.

PART III - GRANT CONDITIONS

b. Special Conditions (Continued):

8. Prompt Payment

- (a) The grantee agrees to make payment to its contractor promptly after receipt of Federal sums due under this grant and to retain only such amounts as may be justified by specific circumstances and provisions of this grant or the construction contract. Retained amounts shall be limited, except where greater retention is necessary under specific circumstances specifically provided for in the construction contract, to the following schedule:
 - (1) Retention of up to 10% of payments claimed until construction is 50% complete.
 - (2) After construction is 50% complete, reduction of the total retainage to 5% of payments claimed, provided that the contractor is making satisfactory progress and there is no specific cause for greater withholding.
 - (3) When the project is substantially complete (operational or beneficial occupancy), the retained amount shall be further reduced below 5% to only that amount necessary to assure completion of the contract work.
 - (4) A cash bond or irrevocable letter of credit may be accepted in lieu of all or part of the cash retainage under (2) or (3) above.
- (b) The grantee agrees to report to the EPA Project Officer and promptly credit to the Federal share due under this grant the full amount of any interest earned, or if no such interest is earned, an imputed amount of interest at the prevailing rate, upon Federal sums paid to the grantee, if payment to the contractor is unjustifiably delayed by the grantee, its employees or representatives.
- (c) The grantee agrees to include appropriate provisions in each Step 3 construction contract to implement this prompt payment requirement.

Special Conditions (continued)9. Subagreements

This grant is awarded subject to compliance with the following requirements within 90 days after the date of grant acceptance or such additional extension of time as may be allowed by the EPA Project Officer.

- (a) The grantee, in accordance with 40 CFR 35.937-9(c) and 35.938-8(b), agrees that the provisions of Appendices C-1 and C-2 to 40 CFR, Part 35, Subpart E, published in the December 29, 1976 Federal Register shall be incorporated, as applicable, in all subagreements (as defined in 40 CFR 35.936-1(b)), and that such provisions shall supersede any conflicting provisions in said subagreements.
- (b) Copies of amended subagreements shall be submitted to the EPA Project Officer within the said 90 days (or any extension), marked to show the changes made to conform with the foregoing requirements.
- (c) Work performed under a subagreement which has not been revised in conformance with the above requirements will be ineligible for Federal participation. Accordingly, grant payments will not be made for such work until compliance with said requirements has been obtained.

10. User Charge System

The grantee agrees to maintain a system of user charges which assures that each recipient of waste treatment services within the grantee's service area will pay its proportionate share of the cost of operation and maintenance (including replacement) of all waste treatment services provided by the grantee in conformance with all applicable Federal requirements. If the grantee's existing user charge system is disapproved by EPA as not conforming with said Federal requirements, the grantee agrees to revise its system to so conform according to the following schedule and further agrees that it will maintain said system:

- (a) User charge system to be redrafted and submitted to EPA for preliminary review and comment within 180 days after receipt of EPA's comments on the existing system.
- (b) Submission of revised user charge system to appropriate governmental entity for adoption within 60 days of receipt of EPA's comments on draft.
- (c) Adoption of revised user charge system by appropriate governmental entity within 60 days after submission for adoption.
- (d) Submission of adopted revised user charge system to EPA for review and approval within 180 days after adoption of system.

Special Conditions (continued)11. Industrial Cost Recovery System

The grantee agrees to develop and maintain an industrial cost recovery system which shall require all present and future industrial users to pay that portion of the grant amount allocable to the treatment of wastes from such users in conformance with all applicable Federal requirements.

12. Schedule of Grant Payments

The grantee may submit requests for payment for allowable costs incurred in accordance with the following schedule:

<u>Payment No.</u>	<u>Date</u>	<u>Payment</u>	<u>Cumulative Amount</u> (not to be exceeded)
1	8/77	\$101,700	\$ 101,700
2	12/77	440,700	542,400
3	3/78	542,400	1,084,800
4	6/78	372,900	1,457,700
5	9/78	237,300	1,695,000

ALL GRANT PAYMENTS ARE SUBJECT TO CONGRESSIONAL APPROPRIATIONS AND AVAILABILITY OF FUNDS.

b. SPECIAL CONDITIONS (Continued)

PART IV



NOTE: The Grant Agreement must be completed in duplicate and the Original returned to the Grants Administration Division for Headquarters grant awards and to the appropriate Grants Administration Office for state and local awards within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the automatic withdrawal of the grant offer by the Agency. Any change to the Grant Agreement by the grantee subsequent to the document being signed by the EPA Grant Award Official which the Grant Award Official determines to materially alter the Grant Agreement shall void the Grant Agreement.

OFFER AND ACCEPTANCE

The United States of America, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers a grant/~~modification~~ to the Tredyffrin Township for 75 % of all approved costs incurred up to and not exceeding \$ 1,695,000 for the support of approved budget period effort described in application (including all application modifications) C-421068-01 Tredyffrin Township Municipal included herein by reference

GRANTEE ORGANIZATION Municipal Authority
TITLE AND DATE Authority

<small>ISSUING OFFICE (Grants Administration Office)</small>		<small>AWARD APPROVAL OFFICE</small>	
<small>ORGANIZATION ADDRESS</small> Environmental Protection Agency Grants Administration Branch (3WA40) Curtis Building, 6th & Walnut Streets Philadelphia, Pennsylvania 19106		<small>ORGANIZATION ADDRESS</small> Environmental Protection Agency Water Division (3WA00) Curtis Building, 6th & Walnut Streets Philadelphia, Pennsylvania 19106	
<small>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</small>			
<small>SIGNATURE OF AWARD OFFICIAL</small> 	<small>TYPED NAME AND TITLE</small> Greene A. Jones, Director, Water Division		<small>DATE</small> AUG 04 1977
This Grant Agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and grant regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the grantee organization, and (2) the grantee agrees (a) that the grant is subject to the applicable provisions of 40 CFR Chapter I, Subchapter B and of the provisions of this agreement (Parts I thru IV), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any, found by EPA to have been overpaid will be refunded or credited in full to EPA.			
<small>BY AND ON BEHALF OF THE DESIGNATED GRANTEE ORGANIZATION</small>			
<small>SIGNATURE</small> 	<small>TYPED NAME AND TITLE</small> John Woodcock, Jr., Vice Chairman		<small>DATE</small> Aug. 19, 1977